

**Minutes of the**  
**City Commission for the City of Traverse City**  
**Regular Meeting**  
**May 5, 2014**



A regular meeting of the City Commission of the City of Traverse City was called to order at the Commission Chambers, Governmental Center, 400 Boardman Avenue, Traverse City, Michigan, at 7 p.m.

The following Commissioners were present, constituting a quorum: Mayor Michael Estes, Mayor Pro Tem James Carruthers, Barbara D. Budros, Jeanine Easterday, Gary L. Howe, Ross Richardson, Tim Werner.

The following Commissioners were absent: None.

The Pledge of Allegiance was recited.

Mayor Michael Estes presided at the meeting.

As requested by Commissioner Richardson, Agenda Items 2(b), 2(c) 2(d) and 2(g) were removed from the Consent Calendar for full discussion.

As requested by Mary Condit, 111 North Madison Street, Agenda Item 2(a) was removed from the Consent Calendar for full discussion.

**2. Consent Calendar**

Moved by Carruthers, seconded by Richardson, that the following actions as recommended on the amended Consent Calendar portion of the Agenda be approved:

- a. Removed from the Consent Calendar.
- b. Removed from the Consent Calendar.

- c. Removed from the Consent Calendar.
- d. Removed from the Consent Calendar.
- e. the Mayor and City Clerk execute a unit prices contract with Elmers Crane and Dozer in the amount of \$161,291.75, more or less, at the unit prices indicated in its bid, for the 2014 Phase One Paving and Resurfacing Project, such contract subject to approval as to its substance by the City Manager and its form by the City Attorney, with funds available in the Capital Projects Fund.
- f. the competitive bidding process be waived; and the City Manager be authorized to issue a service order to Craig's Body Shop in the amount not to exceed \$9,500 for repair to Vehicle #14, a 2013 Tahoe used by the Police Department, with funds being fully reimbursed from the insurance company.
- g. Removed from the Consent Calendar.
- h. the Mayor and City Clerk execute a Reimbursement Agreement with the Conservation Resource Alliance to provide \$20,000 in funding for administrative and managerial services in connection with the Boardman River Dam Deconstruction Project (Brown Bridge Dam Deconstruction Project), such agreement subject to approval as to its substance by the City Manager and its form by the City Attorney, with funds available in the General Fund.

CARRIED unanimously.

**Items removed from the Consent Calendar**

a.

Consideration of authorizing a purchase order for parking pay stations, as recommended by the Downtown Development Authority.

The following addressed the Commission:

Jered Ottenwess, City Manager

Rob Bacigalupi, Downtown Development Authority Executive Director

Moved by Howe, seconded by Werner, that the City Manager be authorized to issue a purchase order to Traffic & Safety Control Systems, Inc., in the amount not to exceed \$161,807 for the purchase of electronic pay stations, with funds available in the Traverse City Parking System Fund.

Dave Malewitz, Auto Parking System Administrator

CARRIED unanimously.

b.

Consideration of authorizing a purchase order for parking pay stations, as recommended by the Downtown Development Authority.

The following addressed the Commission:

Rob Bacigalupi, Downtown Development Authority Executive Director

Moved by Richardson, seconded by Easterday, that the City Manager be authorized to issue a purchase order to MacKay Meters, Inc., in the amount not to exceed \$74,733.75 for purchase of up to 325 meter housings, with funds available in the Traverse City Parking System Fund.

CARRIED unanimously.

c.

Consideration of authorizing the annual amendment to the agreement with CH2M HILL regarding operation, maintenance and management of the Wastewater Treatment Plant, authorizing the default increase to the base fee and the city's financial responsibility for the increase in the electricity rates.

The following addressed the Commission:

Jered Ottenwess, City Manager

Casey Rose, CH2M HILL Project Manager

It was the consensus of the Commission to refer this matter to the May 19, 2014, Regular Meeting.

d.

Consideration of authorizing a service order for geotechnical investigation and preliminary engineering services for the wye relocation in connection with the Boardman Lake Trail, with costs to be reimbursed by the Grand Traverse County Brownfield Redevelopment Authority.

The following addressed the Commission:

Jered Ottenwess, City Manager

Moved by Richardson, seconded by Werner, that the competitive bidding process be waived and the City Manager be authorized to issue a service order to Gourdie Fraser, Inc., in the amount of \$8,100 for geotechnical investigation and preliminary engineering (relating to soils investigation) for the relocation of the railroad wye in connection with the West Boardman Lake Trail, with funds available in the Capital Projects Fund and to be reimbursed by the Grand Traverse County Brownfield Redevelopment Authority.

CARRIED unanimously.

e.

Consideration of approving minutes of the Regular Meeting of April 21 and Study Session of April 28, 2014.

The following addressed the Commission:

Mary Condit, 111 North Madison – made general comments

Moved by Richardson, seconded by Budros, that the minutes of the Regular Meeting of April 21, and Study Session of April 28, 2014, be approved, with the minutes of the Regular Meeting of April 21 to be corrected to state that Mary

Condit expressed opposition to Agenda Item 4(a).

CARRIED unanimously.

### **3. Old Business**

#### **3(a).**

Consideration of enacting an amendment to the Traverse City Code of Ordinances, which would conditionally rezone 101 North Madison Street from R-1b (Single Family Dwelling District) to C-1 (Office Service District), which was not recommended by the Planning Commission; and consideration of authorizing the related agreement.

The following addressed the Commission:

Russell Soyering, City Planning Director

John Kerridge, Architect for the Project, 8140 Bel Cherrie Drive, Peninsula Township

Moved by Howe, seconded by Budros, that an amendment to the Traverse City Code of Ordinances, which would rezone the property located at 101 North Madison from R1-b (Single Family Dwelling District) to C-1 (Office Service District), which was not recommended by the City Planning Commission, which was introduced on April 21, 2014, be enacted with an effective date of June 6, 2014, and further that the Mayor and City Clerk execute a Conditional Rezoning Agreement with Kemal Cinaroglu, which would conditionally rezone the property commonly referred to as 101 North Madison, which was not recommended by the City Planning Commission, such agreement subject to approval as to its substance by the City Manager and its form by the City Attorney.

Mike Gaines, 425 North Madison, Slabtown Neighborhood Association  
President - expressed opposition

Colleen Shannon, 527 West 11<sup>th</sup> Street – expressed support

Christine Maxbauer, 503 West Eighth Street – expressed opposition

Lauren Tribble-Laucht, City Attorney

Susan Hadley, 219 Madison Street – expressed opposition

Sandy Cartwright, 602 North Elmwood – expressed opposition

Doug McWaters, 431 North Cedar Street – expressed opposition

Barbara Solomonson, 119 North Madison Street - expressed opposition  
Daniel Kostrzewa, 716 Cherokee Street – expressed opposition  
Seamus Shinnars, 410 Seventh Street – made general comments  
Doug Stanton, 124 North Madison Street – expressed opposition  
Mary Condit, 111 North Madison Street – expressed opposition  
Patty Olson, 1815 Wayne – expressed opposition  
Jan Doren, 119 North Madison – expressed opposition  
John McDonald, 117 Monroe – expressed opposition  
Ann Stanton, 124 North Madison Street – expressed opposition  
Barry Godwin, 114 North Madison – expressed opposition  
Christine Langschwagger, 310 South Spruce Street – expressed opposition  
Annelle Kaspor, 434 North Madison - made general comments  
Mike Sleeman, 3680 Incochee – expressed opposition  
Deborah VanWagner, 110 North Madison Street – expressed opposition  
Adrienne Rossi, 312 West Seventh Street – made general comments  
Brian Haas, 227 East 10<sup>th</sup> Street – expressed support  
Wes Nelson, 3515 Jefferson, Garfield Township – expressed support  
Debbie Farron, 1114 Jefferson – expressed opposition  
Gerard Ramiro, 558 Bay East Drive, Peninsula Township - expressed support  
Kemal Cinaroglu, 8179 East Shore Drive – made general comments  
Rick Buckhalter, 932 Kelley Street – expressed opposition  
Maxine Olson, 201 North Madison – made general comments  
Marilyn Plamondon, 121 North Madison Street – made general comments

Roll Call:

Yes - Budros, Howe, Werner, Carruthers.

No - Easterday, Richardson, Estes.

FAILED. (5 votes required to authorize the Conditional Rezoning Agreement).

Mayor Estes declared a recess.

**3(b).**

Consideration of authorizing the agreement with the National Cherry Festival specifying the terms and conditions of use of city resources for the 2014 National Cherry Festival, as recommended by the City Commission Ad Hoc Committee regarding the National Cherry Festival and authorizing the City Clerk to issue the related permits.

Moved by Easterday, seconded by Richardson, that the Mayor and City Clerk execute the letter of agreement with the National Cherry Festival (the festival) outlining the terms and conditions of the Festival's use of city resources in connection with the 2014 National Cherry Festival, such agreement subject to approval as to its substance by the City Manager and its form by the City Attorney; and further that the City Clerk be authorized to issue the related Street Use and Park and Public Land Use Permits.

The following addressed the Commission:

Lisa Danto, Traverse Bay Area Tobacco Coalition, Suttons Bay – made general comments

Seamus Shinnors, 410 Seventh Street, Central Neighborhood Association – made general comments

Mike Jackson, 217 Sixth Street – made general comments

Karl DeFoe, 6505 Mission Ridge, Peninsula Township – made general comments

Rick Buckhalter, 932 Kelley Street – made general comments

Trevor Tkach, National Cherry Festival Executive Director

Moved by Budros, seconded by Easterday, that the motion be amended to eliminate the request to use Hannah Park for a car show from the agreement.

Mayor Michael Estes called for a vote on the motion to amend the main motion.

CARRIED unanimously.

City Clerk Benjamin Marentette announced the motion on the floor, which is as follows: “Moved by Easterday, seconded by Richardson, that the Mayor and City Clerk execute the letter of agreement with the National Cherry Festival (the Festival) outlining the terms and conditions of the Festival’s use of city resources in connection with the 2014 National Cherry Festival, with the request to use Hannah Park for a car show to be eliminated from the agreement, such agreement subject to approval as to its substance by the City Manager and its form by the City Attorney; and further that the City Clerk be authorized to issue the related Street Use and Park and Public Land Use Permits.

Mayor Michael Estes called for a vote on the motion on the floor.

CARRIED unanimously.

#### **4. New Business**

##### **4(a).**

Consideration of authorizing a purchase order for a refuse truck.

The following addressed the Commission:

Jered Ottenwess, City Manager

Moved by Carruthers, seconded by Howe, that the City Manager be authorized to issue a purchase order to Tri-County International Trucks, Inc. in the amount of \$201,320.00 for the purchase of a new 2RIII Leach Refuse Packer on a 2015 International chassis, with funds available in the Garage Fund.

Dave Green, Director of Public Services

CARRIED unanimously.



**5. Appointments****5(a).**

Consideration of reappointment of John Serratelli to the Grand Traverse Commons Joint Planning Commission.

Moved by Carruthers, seconded by Budros, the John Serratelli be reappointed to one three-year term expiring May 14, 2017, (seat previously held by John Serratelli), on the Grand Traverse Commons Joint Planning Commission.

CARRIED unanimously.

**6. Reports and Communications**

The following were received and filed:

- a. Reports, announcements and correspondence from the City Manager.
- b. Announcements from the City Clerk.
- c. Reports, announcements and correspondence from the Mayor and City Commissioners.
- d. Reports and correspondence from other City officials, boards and committees.
  1. Report from City Treasurer/Finance Director regarding Delinquent Water and Sewer.
  2. Report from the Mayor serving on the Downtown Development Authority.
  3. Report from Commissioners serving on the Light and Power Board.
  4. Report from the Mayor and Commissioner serving on the Planning Commission.

5. Report from Commissioners serving on other boards.
  6. Minutes of the Traverse Area District Library Board Meeting of March 20, 2014 and March 27, 2014.
  7. Annual Report of the Planning Commission for 2012.
  8. Monthly Activity Report for the Fire Department for November 2012.
  9. Minutes of the Act 345 Retirement System Board Meeting of January 29, 2014.
- e. Reports and correspondence from non-City officials.
1. Fractile Emergency Response report from North Flight for December 2012.

## **7. Public Comment**

The following addressed the Commission:

1. Reserved.

Reserved public comment request from Bill Greene regarding sewer, infrastructure, and Miss Dig Rules for 2014.

2. General.

Seamus Shinnors, 410 Seventh Street  
Willow Al-Shamma, 131 North Elmwood  
Pat Joseph, 502 North Spruce Street

3. Mayor and City Commissioners.

Commissioner Ross Richardson

There being no objection, Mayor Michael Estes declared the meeting adjourned at 10:38 pm.

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Benjamin C. Marentette, CMC  
City Clerk

Approved: \_\_\_\_\_, \_\_\_\_\_  
(Date) (Initials)